

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT AT ANCHORAGE

DEBORAH ORTH, )  
 )  
Plaintiff, )  
v. )  
 )  
COSTCO WHOLESALE CORP., )  
 )  
Defendant. )  
\_\_\_\_\_ )

COPY  
Original Received

JUL 27 2023

Clerk of the Trial Courts

Case No.: 3AN-23-\_\_\_\_\_ CI

**COMPLAINT**

COMES NOW Plaintiff, DEBORAH ORTH, by and through her attorneys, Pentlarge Law Group, LLC and for her Complaint against the Defendant, states and alleges as follows:

1. Plaintiff is a resident of the State of Alaska and has been at all times pertinent hereto.

2. Upon information and belief, Defendant is a duly licensed corporation doing business within the State of Alaska and the owner of property located at 330 West Dimond Boulevard in Anchorage, Alaska.

3. On or about October 24, 2021, as Plaintiff as exited Costco through the front doors, the 25-pound bag of rice she purchased and a Costco employee negligently loaded onto her cart fell off the cart onto her feet causing her to trip and fall. Ms. Orth hung onto the cart trying to catch her balance as the cart kept rolling down the incline dragging her with it. Ms. Orth was unable to catch her balance and fell landing on her left arm and striking her right knee on the cart as she fell, causing serious injuries to her left shoulder and right knee.

4. Defendant had a duty to properly load patron's carts with their purchases after scanning and to keep products of the store free from causing hazards. Defendant breached that

Pentlarge Law Group, LLC  
1400 West Benson Boulevard Suite 550  
Anchorage, Alaska 99503  
(907) 276 1919 276-8000 (Fax)

duty by failing to properly load the purchased items back on to Plaintiff's cart.

5. Defendant had a duty to warn patrons of the unsafe conditions and/or hazardous loading of items which could reasonably cause injury. The Defendant breached that duty by failing to warn Plaintiff of the dangerous condition.

6. Defendant's failure to properly warn of dangerous conditions and/or hazardous obstructions constitutes negligence on the part of the Defendant.

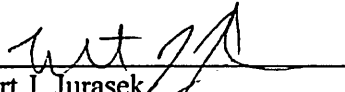
7. As a result of Defendant's negligence, Plaintiff has suffered damages including, but not limited to, medical expense, pain and suffering, loss of enjoyment of life and other damages all in an amount in excess of \$100,000.00, to be proven at trial.

WHEREFORE, having stated her Complaint, Plaintiff prays for judgment against the Defendant as follows:

1. For general and special damages for Plaintiff in an amount in excess of \$100,000.00, the exact amount to be proven at trial;
2. For pre-judgment and post-judgment interest at the maximum rate allowable by law;
3. For Plaintiff's costs and attorney's fees incurred in pursuing this action; and
4. For such other and further relief as the Court may deem just and equitable in the premises.

DATED this 22 day of July, 2023 at Anchorage, Alaska.

PENTLARGE LAW GROUP, LLC  
Attorneys for Plaintiff

  
Robert J. Jurasek  
Alaska Bar No.: 9111071

COMPLAINT

Orth v. Costco Wholesale Corp.; 3AN-23-\_\_\_\_\_ CI

Page 2 of 2

IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA  
AT ANCHORAGE

DEBORAH ORTH,

Plaintiff(s),

vs.

COSTCO WHOLESALE CORP.

Defendant(s).

CASE NO. 3AN-23-07431 CI

**SUMMONS AND  
NOTICE TO BOTH PARTIES  
OF JUDICIAL ASSIGNMENT**

To Defendant: COSTCO WHOLESALE CORP.

You are hereby summoned and required to file with the court a written answer to the complaint which accompanies this summons. Your answer must be filed with the court at 825 W. 4th Ave., Anchorage, Alaska 99501 within 20 days\* after the day you receive this summons. In addition, a copy of your answer must be sent to the plaintiff's attorney or plaintiff (if unrepresented) Robert J. Jurasek, Esq., whose address is: Pentlarge Law Group, LLC, 1400 W. Benson Blvd., Ste. 550, Anchorage, AK 99503.

If you fail to file your answer within the required time, a default judgment may be entered against you for the relief demanded in the complaint.

If you are not represented by an attorney, you must inform the court and all other parties in this case, in writing, of your current mailing address and any future changes to your mailing address and telephone number. You may use court form *Notice of Change of Address / Telephone Number* (TF-955), available at the clerk's office or on the court system's website at <https://public.courts.alaska.gov/web/forms/docs/tf-955.pdf> to inform the court. - OR - If you have an attorney, the attorney must comply with Alaska R. Civ. P. 5(i).

NOTICE OF JUDICIAL ASSIGNMENT

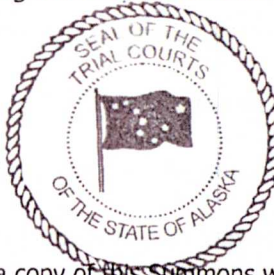
TO: Plaintiff and Defendant

You are hereby given notice that:

- ☒ This case has been assigned to Superior Court Judge Garton and to a magistrate judge.
- ☐ This case has been assigned to District Court Judge \_\_\_\_\_.

CLERK OF COURT

7/27/23  
Date



By: W. Tan  
Deputy Clerk

I certify that on 7/27/23 a copy of this summons was ☐ mailed ☒ given to  
☐ plaintiff ☒ plaintiff's counsel along with a copy of the  
☐ Domestic Relations Procedural Order ☐ Civil Pre-Trial Order  
to serve on the defendant with the summons.  
Deputy Clerk W. Tan

\* The State or a state officer or agency named as a defendant has 40 days to file its answer. If you have been served with this summons outside the United States, you also have 40 days to file your answer.

CIV-100 ANCH (10/17)(cs)  
SUMMONS

Civil Rules 4, 5, 12, 42(c), 55

JUL 27 2023